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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,362	03/12/2004	Jeffrey M. Harrington	GRTSTF.031A	6368

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EXAMINER	
LEE, CLOUD K	

ART UNIT	PAPER NUMBER
3753	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/799,362	HARRINGTON ET AL.	
	Examiner	Art Unit	
	Cloud K. Lee	3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 EK MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/6/06 3/13/06 1/6/06 9/9/04 6/14/04.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15, 18, 21, 28, 31-34 and 36-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Rudrich (US Patent No. 5,651,384).

Rudrich discloses a power savings system and its associated method comprising a wireless receiver (13) configured to receive wireless signals, the wireless receiver being capable of receiving the wireless signals only when the wireless receiver is in a powered state, a power control unit (2) configured to repeatedly switch the wireless receiver between powered and unpowered states in a cycle (see abstract), wherein the wireless receiver comprises a detection unit (12), a method of repeatedly switching a wireless receiver between powered and unpowered states in a cycle (see abstract), a flow controller comprising an inlet, an outlet, a fluid flow path defined between the inlet and outlet, an electrically actuated valve positioned to selectively close the fluid flow path (see Col 4 lines 12-18).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-14, 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeVito (US Patent No. 5,947,148) in view of Ericksen et al (US Patent No. 6,337,635).

DeVito discloses a hose reel device (14) comprising a rotatable drum, an electrical motor connected to rotated the drum, electronic components in communication with the motor (18), a remote control comprising manual controls and wireless transmitter (23 and 27), wherein the electronic components further comprise an electronic logic unit (see abstract). DeVito fails to disclose a flow controller.

Ericksen et al disclose a flow controller comprising a wireless receiver (34) wherein the wireless receiver is integrated with the flow controller (see figure 1), wherein the electronic components include integrated circuit chips (see Col 3 lines 1-3), wherein the wireless receiver is a radio frequency (RF) receiver (see abstract), wherein the electronic components are configured to position the valve at plurality of positions between a open and closed position (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was

made to have provided a flow controller in order to control the flow rate of the outdoor hose faucet (see Col 1 lines 8-13).

5. Claims 16-17, 19 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudrich.

Rudrich fails to explicitly disclose the wireless receiver in its powered state between about 2-20% or 3-10% of the time of the cycle. However, Rudrich recognizes that these dimension are results effective variables (see Col 2 lines 35-46), i.e. variables that achieve a recognized result. In the instant case, the time of the cycle is directly related to the amount of energy. Also, it is well known that the shorter of the time of the cycle requires less amount of energy. Since the prior art recognizes these as results-effective variables, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have chosen the time of the cycle, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art (see MPEP 2144.05).

Regarding claim 19, the examiner takes official notice that an operational amplifier is old and well known in the art.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rudrich in view of Ericksen et al.

Rudrich fails to disclose the wireless receiver comprises a radio frequency (RF) receiver.

Ericksen et al disclose the wireless receiver comprises a radio frequency receiver (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided the wireless receiver comprises a radio frequency (RF) receiver in order to remotely control the system as taught by Ericksent et al (see abstract).

7. Claims 22-23, 35 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericksen et al in view of Lutz et al (US Patent No. 6,017,017).

Ericksen et al fail to disclose a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a valve and then reducing the voltage to the valve after the valve begins moving and before the valve is intended to stop.

Lutz et al disclose a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a valve and then reducing the voltage to the valve after the valve begins moving and before the valve is intended to stop (see figure 3 and Col 2 lines 19-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a valve and then reducing the voltage to the valve after the valve begins moving and before the valve is intended to stop in order to detect armature drop off from a holding position and to take immediate corrective actions as taught by Lutz et al (see Col 2 lines 1-5).

8. Claims 22, 24, 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeVito in view of Conner (US Patent No. 4,845,418).

DeVito fails to disclose a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a motor and then reducing the voltage to the valve after the valve begins moving and before the motor is intended to stop.

Conner discloses a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a motor and then reducing the voltage to the valve after the valve begins moving and before the valve is intended to stop (see figure 3A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided a power control unit configured to reduce power consumption by applying an initial voltage to initiate movement of a valve and then reducing the voltage to the valve after the valve begins moving and before the valve is intended to stop in order to improve flux profile for the motor as taught by Conner (see Col 4 lines 5-13).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Symonds et al (US Patent No. 6,283,139), Kodaira (US Patent No. 5,482,250), Jacobsen et al (US Patent No. 6,662,821) and Manor (US Patent No. 3,910,497) disclose a similar system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cloud K. Lee whose telephone number is (571)272-7206. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Keasel can be reached on (571)272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CL

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